

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41656 of 2023

Arising Out of PS. Case No.-210 Year-2023 Thana- BODHGAYA District- Gaya

Chhotu Mian, aged about 25 years, Male, S/o Baddu Mian, R/o Village- Ilara,
P.S- Cherki, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party : Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bodh
Gaya P.S. Case No. 210 of 2023 dated 26.02.2023, instituted for
the offence punishable under Sections 366A and 349 of the
Indian Penal Code.

3. The prosecution case, in short, is that on
20.02.2023 at about 06:00 am, informant's 16 years old
daughter went for a morning walk but did not return home and
even after an elaborate search by the informant, she could not be
found. On 26.02.2023, informant received a phone call from his
daughter that she got married with the petitioner. It is alleged
that she was taken away on enticement by petitioner and his
family members.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the victim girl was not minor on the date of occurrence as her age was about 19 years as per medical report. From the perusal of the statement made by the victim, it appears that the victim girl went with the petitioner on her own free will. Lastly, it has been submitted that the petitioner is in custody since 22.03.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in Bodh Gaya P.S. Case No. 210 of 2023.

(Khatim Reza, J)

Gaurav Kumar/-

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